S.B. CIVIL WRIT PETITION NO.544/2005

Hanuman Prasad vs. State of Rajasthan and others

Date : 27.1.2005

HON'BLE MR. PRAKASH TATIA, J.

Mr. Vijay Bishnoi, for the petitioner.

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Heard learned counsel for the petitioner.

Since the petitioner is seeking early hearing of his revision petition, which is pending before the Director, Local Bodies, therefore, this writ petition can be disposed of even without notice to the respondents.

It appears from the facts of the case that the matter regarding title of the property is pending since 1980 or even from some prior date, the petitioner preferred S.B.C. Writ Petition no.1728/1981 in which some directions were issued by this Court to Municipal Council, Churu on 12.11.1986. D.B.C. Special Appeal No.1285/1986 against this order was dismissed on 6.7.1989. However, the case of the petitioner was not decided, then the petitioner again preferred S.B.C. Writ Petition no.3615/2002 which was disposed of by this Court on 29.7.2003. This Court directed the respondents to consider the representation of the petitioner. After this order, the Municipal Council, Churu decided the matter in favour of the petitioner vide order dated 2.9.2004. The Municipal Council's

order dated 2.9.2004 is under challenge in the revision petition which is pending before the Director, Local Self Government.

The petitioner submits that looking to the period which has already been taken in the proceedings before this Court, the revision petition is required to be heard and decided expeditiously as the petitioner has already lost his about 25 years in this litigation.

Accordingly, the writ petition is disposed of with a direction to the Director, Local Bodies to decide the revision petition of the petitioner after hearing all the parties expeditiously as early as possible preferably within a period of six weeks.

(PRAKASH TATIA), J.

S.Phophaliya